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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,430	11/20/2001	Jason T. Murar	VEI 0374 PUS	2802

7590 06/21/2004

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EXAMINER

HARAN, JOHN T

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/996,430

Applicant(s)

MURAR ET AL.

Examiner

John T. Haran

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-7,9-12 and 14-16 is/are pending in the application.
- 4a) Of the above claim(s) 12 and 16 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-7,9-11,14 and 15 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date 6/15/04.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/27/04 has been entered.

Election/Restrictions

2. Newly amended claim 12 and newly added claim 16 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

The specification is directed to a method and system for manufacturing an air bag assembly by bonding a front panel to a back plate using an infrared absorbing material and discloses two species: A) where the infrared absorbing material is in the form of stakes and an infrared lamp heats the stakes and a staking apparatus stakes the heated stakes thereby bonding the assembly together and B) where the infrared absorbing material is in the form of a heat activated adhesive is placed between the back plate and front panel and infrared energy is irradiated through the back plate to heat the adhesive and bond the assembly. These species are mutually exclusive and restrictable.

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Previous to the amendment filed on 5/27/04, all the claims were directed to a system with a staking apparatus and were therefore directed to species A. In the amendment filed on 5/27/04, claim 12 was amended to delete the staking apparatus and specify that the infrared absorbing material is a heat activated adhesive heated by pass irradiation through a back plate and now reads on species B.

Since applicant has received an action on the merits for the originally presented invention (species A), this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 12 and 16 withdrawn from consideration as being directed to a non-elected invention (species B). See 37 CFR 1.142(b) and MPEP § 821.03.

3. This application is in condition for allowance except for the presence of claims 12 and 16 to an invention non-elected with traverse. **Applicant is given ONE MONTH or THIRTY DAYS** from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue.

The prosecution of this case is closed except for consideration of the above matter.

Allowable Subject Matter

4. Claims 5-7, 9-11, and 14-15 are allowed.

5. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to suggest the claimed system of manufacturing an air bag cover assembly, particularly of a housing having a respective infrared lamp for emitting infrared radiation and an infrared shield mounted thereon in combination with an apparatus for staking an infrared absorbing material.

Lanser is directed to a heat staking apparatus with an infrared heat source for bonding two plastic pieces together wherein one part has posts or studs that are inserted in similar sized holes in the other part and the stud is heated and then flattened (staked) to bond the parts together. An infrared heat lamp emits infrared radiation that is directed to the plastic posts either by a reflector or through fiber optic cables where the plastic posts absorb the infrared radiation and melt, at which point the staking tool or punch of the staking apparatus is driven by an air cylinder (piston) to flatten the melted plastic stud. The stud is allowed to cool and the parts are connected/bonded together (Column 1, lines 10-18, Column 1, line 45 to Column 2, line 11, and Column 2, lines 25-40). Lanser provides no motivation or suggestion for having an infrared shield mounted on the housing.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

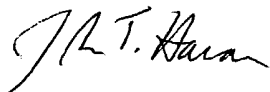
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Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John T. Haran** whose telephone number is **(571) 272-1217**. The examiner can normally be reached on M-Th (8 - 5) and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John T. Haran



JEFF N. AFTERGUT
PRIMARY EXAMINER
GROUP 1300